

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
BEAUFORT DIVISION

Patrick Jay Wall,)
Plaintiff,) C.A. No. 9:07-3199-HMH-GCK
vs.) **OPINION & ORDER**
Gregory Knowlin, Warden;)
NFN Bradshaw, Associate Warden;)
Lt. NFN Pugh, Over Rimini;)
Cpl. NFN Jones, Over Rimini B Wing)
Unit; Mr. NFN Baxter, Counselor)
in Wyboo,)
Defendants.)

OPINION & ORDER

This matter is before the court with the Report and Recommendation of United States Magistrate Judge George C. Kosko, made in accordance with 28 U.S.C. § 636(b)(1) (2006) and Local Civil Rule 73.02 of the District of South Carolina. Patrick Jay Wall (“Wall”), a state prisoner proceeding pro se, brings this action pursuant to 42 U.S.C. § 1983. Wall alleges that the Defendants (1) were deliberately indifferent to his medical needs, (2) subjected him to cruel and unusual punishment, (3) denied him access to the courts, and (4) threatened him verbally. In his Report and Recommendation, Magistrate Judge Kosko recommends dismissing the case without prejudice and without issuance and service of process for failure to state a claim upon which relief may be granted.

Wall filed objections to the Report and Recommendation. Objections to the Report and Recommendation must be specific. Failure to file specific objections constitutes a waiver of a party's right to further judicial review, including appellate review, if the recommendation is

accepted by the district judge. See United States v. Schronce, 727 F.2d 91, 94 & n.4 (4th Cir. 1984). In the absence of specific objections to the Report and Recommendation of the Magistrate Judge, this court is not required to give any explanation for adopting the recommendation. See Camby v. Davis, 718 F.2d 198, 199 (4th Cir. 1983).

Upon review, the court finds Wall's objections are non-specific, unrelated to the dispositive portions of the Magistrate Judge's Report and Recommendation, or merely restate his claims. Based on the foregoing, after a thorough review of the Magistrate Judge's Report and the record in this case, the court adopts Magistrate Judge Kosko's Report and Recommendation.

Therefore, it is

ORDERED that Wall's case is dismissed without prejudice and without issuance and service of process.

IT IS SO ORDERED.

s/Henry M. Herlong, Jr.
United States District Judge

Greenville, South Carolina
October 31, 2007

NOTICE OF RIGHT TO APPEAL

Plaintiff is hereby notified that he has the right to appeal this order within thirty (30) days from the date hereof, pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure.